

## **REMARKS**

Please reconsider the application in view of the above amendments and the following remarks. Applicant thanks the Examiner for carefully considering this application.

### **I. Disposition of Claims**

Claims 1-5 are pending in this application. By way of this reply, claims 1-5 have been canceled without prejudice or disclaimer and claims 6-11 have been added to the present application. Claims 6 and 9 are independent. The remaining claims depend, directly or indirectly, from claims 6 and 9. No new matter has been added by way of these additions as support for these additions may be found, for example, in the original claims and in Figures 3 and 4.

### **II. Objection(s)**

Claims 2-5 were objected to because of a minor informality in claim 2. By way of this reply, claims 2-5 have been canceled without prejudice or disclaimer. Accordingly, withdrawal of the objections to claims 2-5 is respectfully requested.

### **III. Rejection(s) under 35 U.S.C § 103**

Claims 1-5 stand rejected under 35 U.S.C. § 103(a) as obvious over U.S. Patent No. 6,483,547 issued to Mark K. Eyer (hereinafter "Eyer"). Claims 1-5 have been cancelled in this reply. To the extent that this rejection may still apply to the new claims, the rejection is respectfully traversed.

The invention recited in claim 6 is a television signal receiving set capable of receiving analog and digital signals. It comprises a first storage member for storing a virtual channel table of ATSC television signals capable of being received and a second storage member for storing a first analog NTSC television channel capable of being received. Additionally, the set comprises a detecting member for detecting a state of receiving of a second analog television channel that may be included in the virtual channel table. Additionally, the set comprises one or more deletion members for deleting one of the first and second analog television channels according to the state of receiving of the second analog television channel.

As discussed in paragraphs [0029-0037], in one exemplary embodiment of the invention, the user may input a command of automatic scanning. The detecting member, in this exemplary embodiment a CPU, determines whether actual broadcasting exists in the analog television signals based on data from the NTSC decoder. Analog channels are deleted from memory based on channels received in the NTSC system and information stored in a virtual channel table that is created with respect to receivable television signals from the ATSC system. Analog NTSC channels are deleted from the memory when information from the virtual channel table indicates that the analog channel in the virtual channel table can be received. Analog channels in the virtual channel table that are not capable of being received are deleted from the memory.

As discussed in one exemplary embodiment in paragraphs [0011-0012], when a first analog channel of the NTSC system and a second analog channel included in the virtual channel table are both stored in memory, a first deletion member deletes the first analog channel from the memory when the user inputs a command for the receiver to

conduct automatic scanning of all the channels capable of being received. Further, when the second analog channel cannot be received, a second deletion member deletes the second analog channel from the virtual channel table. This eliminates unnecessary channels that would otherwise be stored by the television receiver. The present invention allows the channel map to be automatically simplified, and therefore the maneuverability of channel searching and the ease of selecting a channel are greatly increased.

Eyer is silent with respect to a device that is capable of automatically deleting such undesirable channels. Eyer discloses a system for identifying an analog television signal and determining characteristics of the service provided by the signal, based on a transmission signal identifier (TSID), that is inserted into the analog service at the transmitter (col. 7, lines 50-56). Eyer also states that the analog waveform is supplied with an equivalent tag to the digital transport stream identifier (TSID) (col. 3, lines 1-5). Digital programming services may also have comparable transport stream identifiers assigned. This system is used to identify one or more analog or digital programming services, thereby matching descriptive information specific to the programming services to the appropriate analog or digital programming service selected for viewing. These signals are carried as part of the television signal, and are used for communication to the receiver. The receiver then recovers the transmission signal identifier that was inserted by the encoder to identify the actual signal that was received (col. 3, lines 32-35). Eyer notes that the analog TSID of the referenced invention is different from the digital TSID commonly used, for example, in the MPEG-2 standard (col. 4, lines 1-14).

The Examiner noted that Eyer discusses an automatic scanning mode, but Eyer states that in the learning mode, the receiver steps through the frequency bands and takes

note of analog or digital TSIDs that are present. Eyer provides a system for identifying analog television signals, but provides no teaching or suggestion of removing unreceivable or overlapping channels. Additionally, Eyer states that after the learning mode is complete, a virtual channel table is not a basis for channel navigation (col. 7, lines 23-40). Eyer does not disclose a device for deleting overlapping analog television channels or for deleting analog television channels that are incapable of being received. As a result, Eyer fails to even recognize the problem being solved by the claimed invention, and thus, ipso facto, cannot teach a solution thereto.

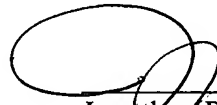
In view of the above, Eyer fails to show or suggest the present invention as recited in independent claims 6 and 9. Thus, independent claims 6 and 9 are patentable over Eyer. Dependent claims are allowable for at least the same reasons. Accordingly, withdrawal of this rejection is respectfully requested.

Applicant believes this reply is fully responsive to all outstanding issues and places this application in condition for allowance. If this belief is incorrect, or other issues arise, the Examiner is encouraged to contact the undersigned or his associates at the telephone number listed below. Please apply any charges not covered, or any credits, to Deposit Account 50-0591 (Reference Number 04995/043001).

Respectfully submitted,

Date: \_\_\_\_\_

8/12/04



Jonathan P. Osha, Reg. No. 33,986  
OSHA & MAY L.L.P.  
One Houston Center, Suite 2800  
1221 McKinney Street  
Houston, TX 77010  
Telephone: (713) 228-8600  
Facsimile: (713) 228-8778

71591\_1